



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JUN 03 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Arletta Scott Williams
Executive Director
Allegheny County Sanitary Authority
3300 Preble Avenue
Pittsburgh, PA 15233-1092

Re: Information Requirement

Dear Ms. Williams:

Enclosed please find an Information Requirement issued this date pursuant to Section 308 of the Clean Water Act, 33 U.S.C. § 1318 and requires, among other things, that the Allegheny County Sanitary Authority (ALCOSAN) provide detailed information regarding flow targets for the Customer Municipalities within the ALCOSAN service area. The requirement to provide EPA with the information requested is mandatory, and you must respond in accordance with the instructions and deadlines set forth in the Information Requirement.

Please contact Ms. Allison Graham at (215) 814-2373 if you have any questions regarding this Information Requirement. If you have any legal questions, you may contact Ms. Yvette Roundtree, Assistant Regional Counsel, at (215) 814-2685.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McGuigan".

David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Permits and Enforcement
Water Protection Division

Enclosure



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

<u>In The Matter of</u>	:	
	:	
	:	Proceeding under Section 308 of the
	:	Clean Water Act, 33 U.S.C. § 1318
The Allegheny County Sanitary Authority	:	
3300 Preble Avenue	:	
Pittsburgh, PA 15233	:	
	:	
	:	INFORMATION REQUIREMENT
	:	
<u>Respondent</u>	:	

INFORMATION REQUIREMENT

I. STATUTORY AUTHORITY

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency ("EPA") by Section 308 of the Clean Water Act ("CWA" or the "Act"), 33 U.S.C. § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA Region III who in turn has delegated it to the Director of the Water Protection Division of EPA Region III, who in turn has delegated it to the Associate Director of the Office of National Pollutant Discharge Elimination System ("NPDES") Permits and Enforcement. EPA hereby requires the Allegheny County Sanitary Authority ("Respondent") to provide the information specified below.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318, to require owners and operators of point sources to establish records and make such reports as may be necessary to carry out the purpose of the Act, including but not limited to:
 - a. developing or assisting in the development of any effluent limitation, or other limitation, prohibition, effluent standard, pretreatment standard, or standard of performance under the CWA;
 - b. determining whether any person is in violation of any such effluent limitation, or other limitation, prohibition or effluent standard, pretreatment standard, or standard of performance;
 - c. any requirement under Section 308 of the CWA; and

d. carrying out Sections 305, 311, 402, 404, and 504 of the CWA.

3. Failure to respond as directed to a CWA Section 308 requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.
4. You may, if you desire, assert a business confidentiality claim covering all or part of the information required herein in the manner described in 40 C.F.R. Part 2 Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information required herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act 44 U.S.C. Chapter 35. (See 5 C.F.R. Section 1320.3(c)).

III. INSTRUCTIONS

5. Provide a separate narrative response for each question contained in this Information Requirement and for each subpart of each question. Precede each answer with the corresponding number of the question to which it responds.
6. Identify each person responding to each question contained in this Information Requirement on behalf of the Respondent, as well as each person consulted in the preparation of the response.
7. For each question, identify each document consulted, examined, or referred to in the preparation of the response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
8. Indicate on each document produced in response to this Information Requirement, or in some other reasonable manner, the number(s) of the question(s) to which it corresponds.
9. If required information or documents are not known or are not available at the time of your response to this Information Requirement, but later become known or available, the Respondent must supplement its response to EPA. Moreover, should the Respondent find at any time after submission of its response that any portion is or becomes false, incomplete, or misrepresents the facts; the Respondent must provide EPA with a corrected response as soon as possible.

10. If a question asks for a date or figure (e.g., date of service, dollar amount, volumetric capacity, etc.), you should provide a good faith estimate if you cannot provide the exact figure.
11. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question(s).
12. All submissions developed and provided pursuant to this requirement shall exclude regional financial concerns.
13. All submissions provided pursuant to this requirement shall be signed and dated by a responsible official of Respondent and include the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signed _____
 Title _____
 Date _____

14. Submit a copy of your response to the following individual:

Ms. Allison Graham (3WP42)
 NPDES Enforcement Branch
 Water Protection Division
 U. S. Environmental Protection Agency
 1650 Arch Street
 Philadelphia, PA 19103-2029

15. If you have questions regarding this Information Requirement, you may contact Ms. Yvette Roundtree of the Office of Regional Counsel at (215) 814-2685 or Ms. Allison Graham of the NPDES Enforcement Branch at (215) 814-2373.

IV. DEFINITIONS

For the purposes of this Information Requirement, the terms used herein are defined as follows:

16. The term "Amended Water Quality Alternative" shall mean the water quality alternative

in the wet weather plan that has been amended to include, but is not limited to the following projects: expansion of the Woods Run wastewater treatment plant (480 MGD primary capacity, 295 MGD secondary capacity); the Upper Monongahela CSO retention treatment basin; and regional CSO storage/conveyance (Ohio River tunnel segment from the sewage treatment plant to O-39 , Allegheny River tunnel segment from O-39 to A-42, Monongahela River tunnel segment from O-39 to M-29, and Chartiers Creek River Crossing from the sewage treatment plant to C-04).

17. The term "Consent Decree" shall mean the 2008 Consent Decree signed by ALCOSAN on January 23, 2008 with the EPA, the Pennsylvania Department of Environmental Protection ("PADEP") and the Allegheny County Health Department ("ACHD").
18. The term "Conveyance and Treatment System" shall mean the Collection System owned and/or operated by ALCOSAN, as well as the Sewage Treatment Plant and other treatment facilities owned and/or operated by ALCOSAN.
19. The term "Customer Municipality" shall mean a Municipality under contract with ALCOSAN that conveys sewage directly or indirectly to the Conveyance and Treatment System.
20. The terms "Document," "Documents," and "Documentation" shall mean any format that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) a copy of each document which is not an exact duplicate of a document which is provided; (b) each copy on which there is any writing, notation, or the like; (c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.
21. The phrase "identify and produce" means to identify the document by means of a reference number, which you will assign to the document for the purpose of responding to this Information Requirement, and provide a true and accurate copy of the document along with your response to this Information Requirement. If a document is not presently in your possession, identify the document custodian, and give a detailed description of the document by listing its customary business description, its approximate date, and its substance or subject matter.
22. The term "Permit" shall mean the Allegheny County Sanitary Authority ("ALCOSAN") NPDES Permit Number PA0025984, issued May 22, 2007 and effective May 22, 2007.
23. The term "Point of Connection" shall mean any physical connection to the Conveyance and Treatment System that routes flow to that system from a Municipal Collection

System.

24. The term “Regulatory Agencies” shall mean the EPA, PADEP and ACHD, collectively.
25. The term “Sewage Treatment Plant” shall mean the devices, processes, and/or systems owned and operated by ALCOSAN at 3300 Preble Avenue, Pittsburgh, Pennsylvania that are used to store, treat, recycle, and reclaim sewage.
26. The term “you” shall mean ALCOSAN.

V. INFORMATION REQUIREMENT

Pursuant to Section 308 of the Act, 33 U.S.C. § 1318, provide the following information in accordance with the timeframe specified in this Information Requirement:

27. On or before June 30, 2015, submit to the Regulatory Agencies all draft or final studies in ALCOSAN’s possession that examined regional implementation, the technical feasibility, and costs of Green Infrastructure and other source controls drafted since January 1, 2012.
28. On or before January 31, 2016, for each point of connection, submit to the Regulatory Agencies a tabulation in an electronic format the names of each Customer Municipality that directly or indirectly convey sewage to that specified point of connection. The tabulation shall include the percent of combined sewers versus separate sewers for each municipality.
29. On or before January 31, 2016, submit to the Regulatory Agencies an estimate of flow targets for each Customer Municipality and an estimate of flow at each Point of Connection in accordance with the following:
 - a. The estimated amount of excess flow that will not be captured and treated after implementation of ALCOSANs proposed system upgrades included in the Amended Water Quality Alternative; and
 - b. When combined with the implementation of ALCOSAN’s proposed system upgrades included in the Amended Water Quality Alternative, the estimated (or calculated) flow that will meet the requirements in Paragraphs 16-18 of the Consent Decree; and
 - c. All estimated flows must be presented on a maximum daily and annual average basis both in the form of a volumetric basis (i.e. gallons per day), a rate basis (i.e. gallons per day per inch-mile) and a per capita basis (i.e. gallons per capita per day).
30. On or before January 31, 2016, submit to the Regulatory Agencies an estimate of flow targets using the information from Paragraph 29 above and a detailed description of the methodologies used. ALCOSAN’s methodologies used to develop flow targets shall consider for each Customer Municipality the service population, collection area and

industry good practice for acceptable inflow and infiltration control. The methodologies used to estimate flow targets shall include (i) an equal marginal percent reduction of flow for each Customer Municipality, (ii) a maximum flow target for Customer Municipalities with combined sewer systems and a maximum flow target for Customer Municipalities with sanitary sewer systems, and (iii) any other methodology or methodologies chosen by ALCOSAN. ALCOSAN shall report to the Regulatory Agencies the estimated flow targets derived from all Methodologies identified in this Paragraph in the format set forth in Paragraph 29(c), above.

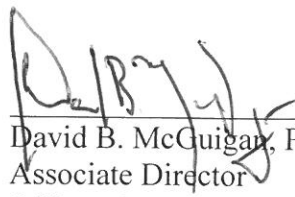
31. On February 29, 2016, submit to each Customer Municipality for their review and input all estimates of flow targets developed in accordance with Paragraph 29 above.
32. On February 29, 2016, all estimates of flow targets developed in Paragraph 29 above must be publicized on ALCOSAN's website or made publically available by an equivalent method.
33. On or before January 31, 2017, submit to the Regulatory Agencies the final flow targets for each Customer Municipality in accordance with the following:
 - a. The final amount of excess flow that will not be captured and treated after implementation of ALCOSAN's proposed system upgrades included in the Amended Water Quality Alternative; and
 - b. When combined with the implementation of ALCOSAN's proposed system upgrades included in the Amended Water Quality Alternative, will meet the requirements in Paragraphs 16-18 of the Consent Decree; and
 - c. Must incorporate the regionalization of intermunicipal trunk sewers; and
 - d. All final flow targets must be presented on a maximum daily and annual average basis both in the form of a volumetric basis (i.e. gallons per day), a rate basis (i.e. gallons per day per inch-mile) and a per capita basis (i.e. gallons per capita per day).
34. On or before January 31, 2017, submit to the Regulatory Agencies the methodologies used to develop the final flow targets from Paragraph 33. ALCOSAN's methodologies used to develop the final flow targets shall consider for each Customer Municipality the service population, collection area and industry good practice for acceptable inflow and infiltration control. The methodologies used to develop the final flow targets shall also consider the lowest cost of compliance with the requirements of Paragraphs 16-18 of the Consent Decree. ALCOSAN shall report to the Regulatory Agencies the estimated flow targets derived from all Methodologies identified in this Paragraph in the format set forth in Paragraph 33(d), above.
35. On February 28, 2017, submit to each Customer Municipality for their review and input all final flow targets developed in Paragraph 33 above.
36. On February 28, 2017, all final flow targets developed in Paragraph 33 above must be

publicized on ALCOSAN's website or made publically available by an equivalent method.

VI. EFFECTIVE DATE

This INFORMATION REQUIREMENT is effective upon receipt.

JUN 03 2015
Date: _____



David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Permits and Enforcement

